

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JAMES STEPP, <i>et al.</i>,	:	Case No. 3-91-cv-468
Plaintiffs,	:	
v.	:	
MONSANTO RESEARCH CORP., <i>et al.</i>	:	District Judge Walter H. Rice
		Magistrate Judge Michael J. Newman
Defendants.	:	

ORDER

On August 29, 2012, the Court issued an Order regarding the disbursement of settlement funds to 195 claimants. Doc. 419. In that Order, the Court Ordered Fifth Third Bank to pay “Richard Derringer” (doc. 419, at PageID 2838) and “Richard L. Derringer, Jr.” (*id.*, at PageID 2836) each the sum of \$451.64. However, “Richard Derringer” and “Richard L. Derringer, Jr.” refer to the same individual; Mr. Derringer submitted to the Court two separate claim forms on two separate dates, and both claim forms were docketed by the Court as separate claims. *See* docs. 262, 385. Accordingly, in the interest of fairness and justice, Mr. Derringer should only be paid \$451.64, and not twice that amount.

Therefore, the Court hereby **AMENDS THE AUGUST 29, 2012 ORDER (doc. 419)**

AS FOLLOWS:

- (1) The name “Richard Derringer,” listed on Page 6 of the Court’s Order (PageID 2838), shall be deleted;¹

¹The Court notes that the check Ordered to be issued to “Richard L. Derringer, Jr.” in the amount of \$451.64 shall still be paid pursuant to the Court’s August 29, 2012 Order, and within the timeframe set therein. *See* doc. 419.

- (2) The name “Victor Reynolds” shall be substituted in its place;
- (3) Plaintiffs’ counsel is **ORDERED** to return to Fifth Third Bank the check made payable to “Richard Derringer”;
- (4) Fifth Third Bank, within ten business days after receipt from Plaintiffs’ counsel the check originally made payable to “Richard Derringer,” is **ORDERED** to issue a check payable to Victor Reynolds the sum of \$451.64. After issuing the check payable to Mr. Reynolds, Fifth Third Bank shall promptly send the check to Plaintiffs’ counsel, who is handling the distribution of all checks issued pursuant to the Court’s August 29, 2012 Order; and
- (5) But for the deletion of the name “Richard Derringer” and substitution of claimant “Victor Reynolds” (doc. 419, at PageID 2838) as Ordered above, the remainder of the Court’s August 29, 2012 Order (doc. 419) is unchanged by this Order.

IT IS SO ORDERED.

September 4, 2012

s/ **Michael J. Newman**
United States Magistrate Judge